

United States District Court  
NORTHERN DISTRICT OF CALIFORNIA

SPIRIT AIRLINES INC

SUMMONS IN A CIVIL CASE

CASE NUMBER: 07-60399

V.

TRIBAL FUSION, INC

TO: (Name and address of defendant)

TRIBAL FUSION, INC  
2087 KEY BOULEVARD  
EL CERRITO, CALIF 94530

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

an answer to the complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Richard W. Wieking

CLERK

DATE \_\_\_\_\_

\_\_\_\_\_  
(BY) DEPUTY CLERK

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Spirit Airlines, Inc.,

Civil Action File No. \_\_\_\_\_

Plaintiff,

07-60399

vs.

CIV - ALTONAGA

24/7 Real Media, Inc., Advertising.com, Inc.,  
America Online, Inc. dba AOL, Burst Media  
Corporation, Carrollton Bank, CheapFlights  
(USA), Inc., Echo Target, Inc., Hotwire, Inc.,  
Intercept Interactive, Inc., Priceline.com, LLC,  
Rackspace, Ltd., Shermans Travel, Inc., SideStep,  
Inc., Smarter Living, Inc., SpecificMedia, Inc.,  
Travel Marketing Group, Inc., TravelZoo, Inc.,  
Tribal Fusion, Inc., TripAdvisor LLC,  
Valueclick, Inc., and The Weather Channel  
Interactive, Inc., and all other persons  
or entities unknown claiming any right, title  
or interest to the funds described in the  
Complaint herein,

RECORDED & INDEXED JUDGE  
TURNER

Defendants.

SUMMONS IN A CIVIL CASE

TO: Tribal Fusion, Inc.  
c/o Dilip Dasilva, Registered Agent of Tribal Fusion, Inc.  
2087 Key Blvd.  
El Cerrito, CA 94530

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

Local Counsel for Spirit Airlines, Inc.

Anthony Carriuolo (FL Bar No. 434541)  
BERGER SINGERMANN  
350 East Las Olas Boulevard, Suite 1000  
Fort Lauderdale, FL 33301  
954-525-9900 (phone)  
954-523-2872 (fax)

AND

Connie A. Lahn (MN Bar No. 0269219)  
Lara O. Glaesman (MN Bar No. 316866)  
FAFINSKI MARK & JOHNSON, P.A.  
Flagship Corporate Center  
775 Prairie Center Drive, Suite 400  
Eden Prairie, MN 55344  
952-995-9500 (phone)  
952-995-9577 (fax)

an answer to the complaint which is herewith served upon you, within twenty days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time.

Clerk


~~Clarence Maddox~~

Date

MAR 21 2007

(By) Deputy Clerk

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
COMPLAINT FOR INTER-PLEADER Service of the Summons and Complaint was made by me <sup>1</sup>		DATE 5/22/07
Name of SERVER CLARENCE RANDOLPH	TITLE PROCESS SERVER REGISTRATION #822	
Check one box below to indicate appropriate method of service ALAMEDA COUNTY		
<input type="checkbox"/> Served Personally upon the Defendant. Place where served:		
<input checked="" type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: "JOHN DOE" REFUSED HIS IDENTIFICATION, 40, 5ft7, 160 POUNDS, BLK HAIR, CAUCASIN RACE SERVED AT TRIBAL FUSION, INC, CORRECT ADDRESS IS 2085 KEY BOULEVARD, EL CERRITO SERVED ON 5/22/07 AT 7:30 P.M.		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>5/23/07</u> <div style="text-align: center; font-size: small;">Date</div>	<div style="text-align: center;">             Signature of Server         </div> <div style="text-align: center; margin-top: 10px;">             CLARENCE RANDOLPH REGISTRATION #822              Address of Server OAKLAND, ALAMEDA COUNTY              339 15TH STREET, SUITE 206              OAKLAND, CA 94612           </div>	
(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure		



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## PROOF OF SERVICE

SERVED: **Tribal Fusion, Inc.**

DATE: 07 / 18 /2007 PLACE: 613 Curtis Street  
(Date of Service) Albany, CA 94706

DOCUMENTS: **Summons; Complaint; Notice of Transfer**

SERVED ON (PRINT NAME & TITLE)

Dilip DaSilva

MANNER OF SERVICE

Personal in hand to a(n)

(Place and X in the applicable box)

☐ Officer

☒ Registered Agent

☐ Managing Agent, someone within the corporation  
whose management capacity is such  
that (s)he exercises independent  
judgment and discretion

SERVED BY (PRINT NAME)

Reshanya Keough

TITLE

Process Server - Registered Alameda County #831

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on: 07 / 19 /2007.

  
SIGNATURE OF SERVER

725 Washington Street

Suite 200

Oakland, CA 94607

ADDRESS OF SERVER

Re: SPIRIT V. TRIBAL FUSION